

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. George Lilly, III

Docket No. 3:92-CR-35-5H

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of George Lilly, III, who, upon an earlier plea of guilty to Count 1- Conspiracy To Possess With Intent To Distribute Cocaine, in violation of 21 U.S.C. § 846, Count 2- Use of a Firearm During and in Relation to Drug Trafficking Crime and Aiding and Abetting, in violation of 18 U.S.C. §§ 924 (c)(1) and 2, and Count 8- Possession With Intent to Distribute and Distribution of Cocaine and Aiding and Abetting, in violation of 21 U.S.C. § 841 (a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge on May 25, 1993, to the custody of the Bureau of Prisons for a term of 360 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On October 15, 2014, the conviction and sentence on Count 2 were vacated. On November 12, 2014, the defendant was resentenced after the court granted a Writ of Error Coram Nobis and the term of imprisonment was reduced to 240 months and the term of supervised released was reduced to 36 months.

George Lilly, III was released from custody on November 25, 2014, at which time the term of supervised release commenced. As a result of the defendant testing positive for marijuana on December 19, 2014, a Violation Report was forwarded to the court. The court agreed to continue supervision to allow the defendant to participate in substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 17, 2015, the defendant submitted a urine specimen which tested positive for marijuana. When confronted with the results, the defendant signed an admission of drug use. As a sanction for this conduct, and in an effort to deter future drug use, we would respectfully recommend that his supervised release be modified to include two days in the custody of the Bureau of Prisons. Furthermore, Lilly will continue with substance abuse treatment and we will continue to monitor his drug use through the Surprise Urinalysis Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Keith W. Lawrence

Keith W. Lawrence

Senior U.S. Probation Officer

310 Dick Street

Fayetteville, NC 28301-5730

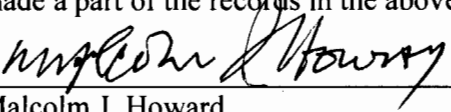
Phone: 910-354-2538

Executed On: May 12, 2015

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ORDER OF THE COURT

Considered and ordered this 14th day of May 2015 and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge